Superintendent of Public Works
Theodore H. Lawson

Assistant Superintendent of Public Works
Richard H. Crist, P.L.S.

Equipment Services Manager
Robert J. Gordon

Superintendent of Building Maintenance
George E. Oaks

Director of Inspection Services
Ted Montgomery

Director, Public Safety Communications
Eric M. Linsley

MOBILE COUNTY PUBLIC WORKS

Director of Public Works / County Engineer
Joe W. Ruffer, P.E.

February 14, 2007

Kevin J. Martin, Chairman
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: WT Docket Nos. 96-86, 06-150, and 06-169, and PS Docket No. 06-229

Dear Chairman Martin:
I am Eric Linsley, Chairman of the Region 1, Alabama, 700 MHz Regional Planning Committee charged with local spectrum management and ensuring the efficiency and effectiveness of the public safety allocations as assigned by the Commission. I am respectfully urging the Commission to adopt the Broadband Optimization Plan ("BOP") as soon as possible (see attachment Appendix A). The BOP was originally proposed by Access Spectrum and Pegasus Communications and now enjoys broad support from the public safety community because it offers public safety an opportunity to maximize its current allocation, manage its unique spectrum needs at the local level and leverage commercial resources and broadband technologies. In addition, adoption of the BOP can make public private partnerships more attractive as the location of public safety broadband would be immediately adjacent and more accessible to commercial entities seeking such partnerships. These benefits can be substantial, but the cost of realizing them increases with time as public safety agencies continue with planning of systems under the current band plan and rules. In order to promote public-private partnerships and enable public safety to further its broadband capabilities, the FCC should therefore move quickly to adopt the BOP and allow public safety to begin to harness these benefits.

Broadband is the future of public safety communications, and the BOP allows the most flexible method for state and local agencies to meet their current broadband goals *within their own public safety allocation* while enabling them to best prepare for future applications and capabilities. The BOP would provide public safety the greatest flexibility to take advantage of current and future developments in broadband data technology, utilizing new applications and enabling the use of commercial off-the-shelf equipment. By leveraging technological trends, commercial-off-the-shelf equipment will allow for more cost effective, higher functioning subscriber equipment as well as allow public safety the opportunity to "keep up" with technological innovation. By making available 5.5 MHz paired for broadband use, the BOP would enable a larger choice of

technologies for public safety deployment, without reducing or impairing the amount of spectrum available for narrowband voice communications. The BOP accomplishes this by reducing the amount of both commercial and public safety spectrum used for guard bands, and by adding 3 MHz of spectrum nationwide to the public safety allocation. Again, the BOP can open the way for public safety to move to cutting-edge technology while using commercial economies of scale and public-private partnerships to reduce costs.

If broadband were permitted in wideband spectrum under the current band plan, public safety spectrum would be inefficiently used, causing unnecessary interfaces and wasting extra spectrum on guard bands. The broadband segment would be approximately 4 MHz paired, rather than 5.5 MHz paired under the BOP, greatly reducing the choice of broadband technologies public safety agencies could deploy. The potential for public-private partnerships would be minimized as public safety broadband operations would be separated from its commercial neighbors by public safety narrowband systems, which would require additional spectrum for protection. Public safety agencies would continue to be isolated in the marketplace, and public safety broadband systems would continue to be prohibitively expensive to deploy.

Though the BOP generally would not affect the C and D Blocks, it would shift their location by 1 MHz. As a result, the Commission must address the BOP either before or at the same time as it addresses the rules for the Upper 700 MHz commercial spectrum. If the FCC settles on a plan for the commercial spectrum before making a decision on the BOP, it will have the effect of eliminating the possibility of implementing the BOP. Since the BOP is beneficial for public safety; it is good for America, and so it must be adopted now so as to not hamper current 700 MHz planning at the regional level and to ensure public safety experiences the benefits of the BOP for decades to come.

Sincerely,

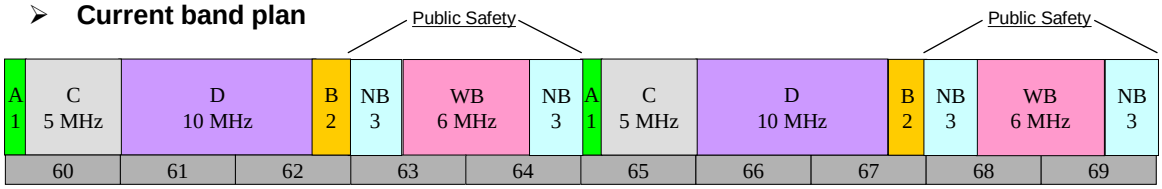
Eric M. Linsley
Director of Public Safety Communications

cc Joe Ruffer, P.E.
County Engineer

File: C:\Documents\FCC\700 committee\rpc bop support letter.wpd

Appendix A

- **Current band plan**



- **Re-configuring the public safety allocation – the Broadband Optimization Plan**